

## NEXT MAILS

From San Francisco  
Wednesday, Dec. 13.  
For San Francisco  
Saturday, Dec. 8.

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## 350 KILLED IN HALIFAX EXPLOSION; HALF OF CITY IS IN FLAMES; TROOPS TAKE CHARGE AFTER HARBOR DISASTER

## Court Holds Chinese Not Expatriated

Question of Loss of Citizenship By Foreign Residence Decided; Persons Naturalized Under Republic Bona Fide Citizens of America

The Republic of Hawaii in conferring citizenship upon those who had been made subjects of the monarchy, did not make any distinction between those who were born in the islands and those who were not; and, in my opinion, all who were made citizens should be regarded as the same kind or class. By the resolution of annexation this law of the Republic of Hawaii was continued in force thereafter; and the Organic Act made no distinction between those who were born in the islands and those who were not.

In the foregoing statement is contained one of several important points made by Federal Judge Horace W. Vaughan in a decision which he has handed down holding that Wong Hing Chow alias Wong Chee Fong, a well known local Chinese businessman, has not expatriated himself by a lengthy residence in China, and that he is entitled to readmission to the territory.

When he returned from China recently, Wong Hing Chow, who has interests both here and in the Orient, was denied admission by Immigration Inspector R. L. Halsey on the ground that "the applicant expatriated himself." On appeal, the assistant secretary of labor sustained Mr. Halsey's view and ordered the deportation of the Chinese on the ground that he had ceased to become an American citizen. Wong Hing Chow, through his attorney, William T. Carden, then took his case to the U. S. court on habeas corpus.

Some of the important points made by Judge Vaughan in his decision are:

1. By section 4 of the Organic Act, all those who were citizens of the Republic of Hawaii on August 12, 1898, are declared citizens of the United States.

2. Article 17, Section 1, of the constitution of the Republic of Hawaii, declared all those born or naturalized in the Hawaiian islands, citizens of the republic.

3. Petitioner had been naturalized in the Hawaiian islands and became a citizen of the Republic of Hawaii and also of the United States.

4. The second paragraph of the second section of the act of March 2, 1907, applies to those only who came to the United States from some foreign state and cannot by construction be extended to include those upon whom citizenship was conferred when the country of which they were citizens was annexed to the United States.

5. The presumption of expatriation from residence in a foreign country under act of March 2, 1907, does not arise until the citizen has resided in the foreign country for the requisite time without evidencing any intention to retain his citizenship, and in computing such time, that time during which the citizen was claiming citizenship and the protection of a passport issued by the government of the United States should not be counted.

The sole ground upon which the petitioner was denied admission here was that he had failed to substantiate his claim for admission. According to the decision, the U. S. attorney, during the hearing, contended that petitioner never was a citizen of the United States. He argued that petitioner, being a naturalized citizen of the Republic of Hawaii, did not become a citizen of the United States upon the annexation of the Hawaiian Islands to the United States, and that by the transfer of sovereignty to the United States, the allegiance of native born citizens only was transferred. In answering this contention by the district attorney, the decision says, in part:

"The Republic of Hawaii, in conferring citizenship upon those who had been subjects of the monarchy, did not make any distinction between those who were born in the islands and those who were not; and, in my opinion, all those who were made citizens should be regarded as the same kind or class."

"Having been a citizen of the Republic of Hawaii on August 12, 1898,

## Percy Swift, T. M. Church J. T. Phillips Summoned



The three prominent Honolulu businessmen called today to active service with the army quartermaster's department: Left to right, top, Capt. P. A. Swift, manager of Henry May & Co.; Capt. James T. Phillips, auditor of disbursements of Oahu Railway Co., and lower, Capt. T. M. Church, manager of disbursements of Alexander & Baldwin.

## TRIO ASSIGNED TO IMMEDIATE SERVICE HERE

Will Be Assistants to Department Quartermaster; Pre-sages Calling of Others

Orders received this morning at headquarters of the Hawaiian department call to active service in the quartermaster reserve corps three well known businessmen of Honolulu with rank of captain.

Percy A. Swift, manager of Henry May & Co.; Thomas M. Church, manager of the merchandise department of Alexander & Baldwin; and James T. Phillips, auditor of disbursements, Oahu Railway & Land Co., are summoned to duty as captains.

Today's order calls the three men to immediate duty, and instructions issued from department headquarters assign them to duty as assistants to the department quartermaster.

An important feature of the order from Washington is that it probably means the calling of more reserve corps men from the city's business element within a short time.

Capt. Church has been in Hawaii for eighteen years, all of which time has been spent with the firm of Alexander & Baldwin. This time, was divided, with nine years on Maui and nine years in Honolulu. For several years he was a member of the territorial harbor board.

Capt. Swift has been in Hawaii a little more than 17 years, having come here from Santa Cruz, Cal. For eight years he has been with Henry May & Co.

Capt. Phillips came to the islands in March, 1915, to take charge of the disbursements and store department of the Oahu Railway Co. and install a complete disbursements accounting system. He had 15 years' experience in railroad work in both operating and accounting departments on the Rock Island, Burlington, Santa Fe and Southern Pacific companies.

"I am strongly of the opinion that it is the duty of every loyal American to support the government to the fullest extent of his power," said Capt. Phillips today, "and if the government is of the opinion that my services will be of any assistance to it in the conduct of this war I am ready and willing to make any sacrifice necessary and to give my full endeavors to the government's work. I consider it an honor to serve."

## COL. BANISTER TAKES CHARGE DEPT. HOSPITAL

Colonel William Banister, Medical Corps, has been relieved from further duty at the post hospital, Schofield Barracks, and placed in command of the department hospital, taking the place of Colonel Frank R. Keefe, Medical Corps, relieved.

Colonel Banister has been more than 30 years in the army medical service and is well known in Hawaii and on the mainland.

Colonel Keefe reported to command of the Western Department at San Francisco.



## RODIEK-SCHROEDER PLEA IS GUILTY TO A TECHNICAL VIOLATION ONLY

Full Text of Statement in San Francisco Court Published Today—Reasons for Attitude Made Public—Preston Looks Into Case on Merits Before Acceptance of Plea

George Rodiek and H. A. Schroeder of Honolulu pleaded guilty only to technical violation of the United States neutrality law in the federal district court at San Francisco yesterday.

This, together with the statement in full which the defendants made to the court, was cabled to Honolulu last evening, and the Star-Bulletin today publishes their statement in full.

The gist of their explanation of connection with the "mystery ship" Maverick was printed in the late editions of the Star-Bulletin yesterday. Yesterday afternoon Matt I. Sullivan and Theodore Roche, the San Francisco attorneys acting for the two Honolulu defendants in the trial, cabled to the law firm of Thompson & Cathcart as follows:

"Rodiek and Schroeder both plead guilty to technical violation only of neutrality act. Reasons for plea and full particulars will follow this afternoon."

The cabled statement then followed.

## Some Recent History

The Star-Bulletin learned this morning some of the recent history leading up to the filing of the defendants' statement and their plea of guilty to technical violation of the neutrality act. The firm of Thompson & Cathcart, while acting for Hackfeld & Co., has not at any time represented Rodiek or Schroeder in the San Francisco case, but when John W. Cathcart was recently in San Francisco he met District Attorney Preston, a personal acquaintance, and said to him that if all the cards were laid on the table he believed the government would find that Rodiek and Schroeder had not knowingly violated any law and that their connection with the Maverick business had been purely a commercial transaction.

## Look Into Case on Merits

The district attorney replied that if the attorneys for the two men would place before him, everything in the way of evidence and any pertinent information he would look into the case

## Embargo On Imports Is Rescinded

Islands Exempted and Given Blanket License for Importation of Rice, Burlap, Etc.

Cabled instructions were received this morning by M. A. Franklin, collector of the Honolulu port, that a blanket license had been granted by the war trade board for the islands exempting them from the Presidential proclamation of Nov. 28 requiring a license for the importing of a long list of articles.

The cable follows a lengthy one received Tuesday explaining the extent and limitations of the presidential proclamation. Publication of the cable caused consternation in the Honolulu business district, as the order was such a general one it would almost entirely stop the importation of a number of necessities.

According to the wording of the proclamation a license had to be secured from Washington for the importation of rice, rubber, burlap and nearly 50 other articles.

As a result of the receipt of the order Raymond Brown, secretary of the Honolulu Chamber of Commerce, yesterday sent the following cable to Sydney Ballou, island representative in Washington:

"Merchants of Hawaii handicapped absence of blanks comply Presidential proclamation providing certain articles shall not be imported except under license granted by war trade board. Is it practicable extend date application to Hawaii? May local representative be appointed to issue license similar to course adopted for port San Francisco?"

This cablegram was not filed until late yesterday afternoon and it is hardly likely that Judge Ballou had an opportunity to act before the treasury department or war board decided to modify the application of the proclamation for the Hawaiian islands.

The cablegram received by Collector Franklin this morning states in part that a blanket license is granted for "all imports into your district of articles mentioned in said proclamation, such license to remain in force until revoked."

## STATUTE UNDER WHICH RODIEK WAS INDICTED CALLS FOR JAIL TERM

That Georg Rodiek and Heinrich A. Schroeder, who yesterday pleaded guilty in San Francisco to a charge of complicity in a plot to foment a rebellion in India, will each have to serve a term of imprisonment in spite of the fact that they may be used as witnesses for the government against the remaining defendants, is the opinion of local federal officials who have been watching the trial with interest.

The statute under which Rodiek and Schroeder were indicted provides a punishment of a fine of not more than \$3000 and imprisonment for not more than three years. The word "and" in the statute is the basis for the officials' prediction, as it means that persons convicted under the statute must be both fined and imprisoned.

One federal official today declared he was not surprised when he heard that Rodiek and Schroeder had pleaded guilty. Another opinion is that their implication in the movements of the filibuster steamer Maverick formed the only charge against the pair. If imprisoned, both men forfeit their civil rights.

At a meeting of the exemption board of District No. 1, Honolulu, held yesterday afternoon, a claim for exemption on account of a dependent mother was allowed Jos. McComiskey, transferred for examination from District 5, San Francisco. Michael O'Leary of District 8, San Francisco, and Carl I. Davis of District 1, San Francisco, were both found physically disqualified for military service.

## TEUTONS IN NEW ATTACK ALONG PIAVE

Plains Again Scene of Struggle With Venice as German Goal

(Associated Press by U. S. Naval Wireless.)

BERLIN, Germany, Dec. 6.—The German war office announces that 11,000 Italians have been captured in a new offensive in Northern Italy.

## BIG GERMAN AIR ATTACK FAILS IN BLOW AT LONDON

(Associated Press by U. S. Naval Wireless.)

LONDON, Eng., Dec. 6.—Twenty-five enemy airplanes last night carried out a big raid on England. Only six of these succeeded in reaching London. Two of these were shot down and the crews of three captured.

## LATE NEWS

GOVERNOR COMMISSIONS TWO Governor Pinkham today named Lieut. Leslie W. Branch of the naval radio office as a member of the naval militia board of Hawaii. W. F. Sanborn was made a member of the license commission for Kauai.

ISENBERG OPERATED ON Hans Isenberg, president of the Lihue plantation and Koloa Sugar Company of Kauai, is in the Queen's hospital recovering from an operation performed Monday morning. He was taken ill Sunday night and rushed to the hospital. Reports received from attending physicians this afternoon were that he had passed the danger point.

## MCCANDLESS CASE IS UNDER ADVISEMENT

Circuit Judge Kemp has taken under advisement the injunction suit brought by L. L. McCandless against the city and county to prevent the sale of his property on Beretania street for the non-payment of a frontage tax assessment. Argument was completed today.

## FISH DEALERS WILL ACCEPT AGREED PRICE

Local retail fish dealers are willing to accept an agreed price at which they shall sell their commodity to the public; in fact, they are willing to do any reasonable thing the territorial food commission may suggest, and all they ask in return is a fair profit on their business. This is the result of a conference this morning by Federal Food Administrator J. F. Child with a committee of retail fish men. Another meeting is to be held soon to endeavor to determine a fair selling price for the different varieties of fish in accordance with the conditions under which they are sold. The case of the fishermen and fish companies will be taken up later.

## NEGRO SOLDIER GIVEN 25 YEARS IN PRISON

Twenty-five years' imprisonment at hard labor and dishonorable discharge from the service of the United States is the sentence that has been given in the court martial case of Pvt. Acie Taylor, a negro soldier of Schofield Barracks. The order in the case shows that one of the specifications on which Taylor was found guilty was that he did "with intent to murder, feloniously assault Mrs. Maria Kauwe, by shooting her with a deadly weapon, viz: a .38 caliber revolver." A number of other charges of felony against the soldier were substantiated by the court. The cases dated back to the latter part of October.

## ANNUAL MEETING OF CHAMBER JANUARY 16

The annual meeting of the Chamber of Commerce of Honolulu will be held on January 16, 1918.

## VESSEL LEAVING DOCK RAMMED BROADSIDE; EXPLOSION TERRIFIC

Scores Killed, Hundreds of Buildings Destroyed; 30-Mile District Damaged; Starvation Impends

(Associated Press by U. S. Naval Wireless.)

TRURO, Nova Scotia, Dec. 6.—Late this afternoon fragmentary telephone reports reached here that deaths among civilians from the munition ship explosions have reached 350. Casualties are proportionate to the number of deaths. The loss is estimated in the millions.

HALIFAX, N. S., Dec. 6.—The northern half of Halifax is in flames. Several square miles of the city are wrecked. The government repair plant at Willow Park has been demolished. The government station used by the Canadian Pacific has collapsed and the Canadian Pacific wires have been taken over by the military authorities. The troops have taken charge of the situation, civilian telegraph operators being expelled from the buildings.

AMHERST, Nova Scotia, Dec. 6.—The city of Halifax, rising above the great harbor, was rocked to its foundations and terrible death and widespread damage done today when a tremendous explosion resulted from the collision of vessels carrying munitions.

Meager news received at this town, nearly 100 miles away, indicates that scores have been killed, hundreds injured, and hundreds of buildings destroyed.

Communications of all kinds—telegraph, telephone and rail—have been so badly shattered that only brief facts are obtainable at this hour.

A telephone message brought the first information that several score people were dead, and that a great fire, breaking out immediately after the explosion, was destroying hundreds of buildings.

The explosion resulted from a collision of vessels with high explosives aboard, the message said.

The detonation was so terrific it destroyed the telegraph and telephone offices for 30 miles around Halifax.

The noise of the explosion was plainly heard at Truro, 61 miles from the harbor city. It is reported that a munitions steamer leaving the pier was rammed broadside. The warehouse on the docks was also filled with explosives. Instantly there was an explosion with a violent concussion, and the roof of the warehouse collapsed. North street depot was shattered and warehouses for a mile and a half along the waterfront were shaken down.

Along a stretch of nearly two miles freight cars were blown off the tracks.

Messages have been sent out by every available means, asking that fire engines be rushed to the scene and that supplies, doctors, nurses and general relief be hurried at once. Several of the towns outside Halifax have been appealed to for aid.

Special trains are already engaged in moving food to the stricken city, the supplies there having been so damaged that starvation endangers the people. Many warehouses full of food supplies have been destroyed and many shops burned down.

The wire damage is so complete that it is unlikely regular communications can be restored for days.

## GREAT BATTLES IMPEND ON CAMBRAI FRONT AND NEW LINE OF ITALIANS

(Associated Press by U. S. Naval Wireless.)

WASHINGTON, Dec. 6.—In the absence of infantry engagements of magnitude yesterday, indications are not and in the Cambrai sector the titanic struggles of last week will be resumed with the Germans as the aggressors.

Taking advantage of the Russian breakdown and the progress made for an armistice between the forces of Russia and those of Germany and Austria, the Teutons have withdrawn forces from the fronts upon which they are not now needed and have hurried them to bolster up the shattered forces of Prince Rupprecht on the western front and to further reinforce the Austro-German armies on the northern Italian line with the purpose of there resuming their thrusts, which look to be the opening up of the road to Venice across the Venetian plains. On the Cambrai front efforts are to be directed toward the destruction of General Byng's salient. A renewal of the terrific attacks that have proved so costly to the Teutons is expected at any time, and is clearly indicated by the increased intensity of the Teuton barrage.

## FOOD PLEDGE "DRIVE" TO BEGIN TOMORROW

Honolulu's big food pledge "drive" will begin early tomorrow morning when more than 100 women will canvass the city from end to end to line up housewives in the movement to conserve the nation's food supply. A house-to-house canvass will be made and the leaders and their lieutenants hope to have thousands of women sign the pledge cards.

## GERMANS REFUSE REQUEST OF RUSSIANS NOT TO SEND TROOPS AGAINST ALLIES

LONDON, Dec. 6.—The expressed desire of the spokesmen for the provisional government of Russia that their former allies might be spared some part of the consequences of the Russian defection from the Entente and that one condition of the armistice between Russia and Germany be that no German forces from the east front be despatched for service on the west front has been flatly refused by Germany. Another of the Russian peace terms, the evacuation by the Germans of the islands in Moon sound, has likewise been refused consideration by the Germans.

A Russian communication dealing with the negotiations for an armistice now under way between the Huns and Slavs, the text of which has been received here, says that the enemy negotiators replied evasively to the two initial peace proposals from Petrograd, but promised to refer the proposals to Berlin for a reply. The reply is a denial of the proposals.

## SIX CENT SUGAR IS NOW ASSURED

According to a cable message received late yesterday afternoon by E. D. Tenney, president of the Hawaiian Sugar Planters' Association, from the California-Hawaiian Sugar Company, six cent sugar is practically promised to Hawaii. The cable stated that an agreement between the international and national sugar commissions and the commission sent over by the Cuban sugar planters had been about reached whereby the price for raw sugars would be in the neighborhood of six cents.